UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,912	01/04/2002	Jeffrey C. Lofton	B-7056	6836

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EXAMINER
KRISCIUNAS, LINDA MARY

ART UNIT	PAPER NUMBER
3623	

DATE MAILED: 02/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/037,912	LOFTON, JEFFREY C.
	Examiner	Art Unit	
	Linda Krisciunas	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>04 January 2002</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *1/4/02*.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

The following is a Non-Final Office Action in response to the application filed

January 4, 2002. Claims 1-27 are currently pending.

Claim Objections

1.   The numbering of claims is not in accordance with 37 CFR 1.126 which requires

the original numbering of the claims to be preserved throughout the prosecution. When

claims are canceled, the remaining claims must not be renumbered. When new claims

are presented, they must be numbered consecutively beginning with the number next

following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 22-28 should be re-numbered 21-27. The number 21 was

omitted in the claim numbering scheme. Re-numbering to provide sequencial number

order is required. The Examiner has addressed the claims in their corrected order of 21-

27.

Information Disclosure Statement

The examiner has reviewed the patents and publications supplied in the

Information Disclosure Statement (IDS) dated January 4, 2002.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-10 are rejected under 35 U.S.C. 102(a, e) as being anticipated by

Berenson et al (US 2001/0049617).

As per claim 1, Berenson teaches data storage means (database (301)); input

means for inputting data into data storage (web based data entry (303)); viewing

means for viewing data (web based UI (602)); user data identifying each user or

potential user of the system (user database (308)); event data identifying an event (raw

event data (300)); association means for associating a user with event data (paragraph

19: "A system for requesting, creating and updating event messages which may

include calendar entries from an event schedule accessible by a computer network

(such as the Internet) is described below. A user accesses the schedule and requests

an event message to be sent to him/her based on a set of criteria determined by the

user. The event message may be in several different forms, including, without

limitation, calendar entries, pages, faxes or wireless updates. The event schedule

system displays events to the user and may insert an event into the user's calendar

either automatically or at the user's request. The system may also perform other

scheduling functions" whereby the user can receive a reminder of the event which provides a link between the user and the event.); user data file containing event data (event database (304)).

As per claim 2, Berenson teaches permitting a user to add and delete events from the user's personal calendar without affecting events viewable by other users or events on other users' calendars which the deleting user did not post (paragraph 40: "The code 502 may contain the appointment or event to be inserted into the user's calendar program. If the email is only for reminder purposes then no code may be necessary. If, however, the user's calendar is to be changed, the code may perform one or more of the following: create a new entry in the calendar, update an existing entry, or delete an existing entry. The actual commands used to perform this operation may depend on the calendar of the user.").

As per claim 3, Berenson teaches the event data comprises one or the other or both of data for a specific event which is stored in the user data file and pointers stored in the user data file pointing to data for a specific event which is stored in a global event file (See Figure 3 where the user database (308) contains information specific for the user and the event database (304) contains information for the events and the two databases exchange information such that the event information for a specific user is indicated).

As per claims 4-5, Berenson teaches associating one or more users with a group, wherein a user is selected for association as a member of the group by the user

creating the group (paragraph 16: "They also allow individuals to schedule group meetings with a set of specifically named individuals.").

As per claim 6, Berenson teaches link data for storing retrievable data and linking means for linking link data with event data (paragraph 40: "The data 500 contains user viewable event data. The event message may also include attachments such as video data, audio data, pictures, links to other events or web pages, etc. These attachments may contain a variety of information.").

As per claim 7, Berenson teaches user data for each user comprises information for identifying a user (paragraph 25: "User information is stored in a user database 308 that interacts with the web server 306. User profiles, calendar requests, notification requests, and other information are stored in the user database 308.").

As per claim 8, Berenson teaches the information for identifying a user comprises public/known user information (paragraph 25: "user profile", whereby it is typical for a profile to contain the person's contact information: office phone number, fax number, e-mail address etc. This information is known since companies usually have a phone directory.).

As per claim 9, Berenson teaches the information for identifying a user comprises a user's email address (paragraph 25: "user profile" whereby it is typical for a profile to contain a person's office phone number, fax number, e-mail address etc.).

As per claim 10, Berenson teaches the user data identifying each user or potential user of the system comprises a user identifying string (paragraph 26: "The system may then leave an amount of data such as a "cookie" on the user's computer

so that the user is easily identifiable by the system the next time the user makes use of

the system." Where the identifiable string is an electronic cookie.).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Berenson.

As per claim 11, Berenson does not explicitly teach the user identifying string can

be associated with one or more alias strings of the user to associate the user with event

data posted for that user under each of the user identifying strings and alias strings,

regardless of which user identifying string the user inputs to sign onto the system

(Official notice is taken that it is old and well known to have an alias username for the

purpose of forwarding e-mail to another account or for remote access to e-mail and

calendars. Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention to modify the calendar system of Berenson with the alias feature to

provide a more comprehensive and marketable system.).

6.   Claims 12-20, and 21-27 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Berenson in view of Microsoft Office 97 Professional Edition, by

Lonnie Moseley and David Boodey, Sibex Inc. 1997.

As per claims 12 and 14-15, Berenson does not explicitly teach controlling user's

views. Office 97 teaches that it is known to have control means for controlling

availability of information on a user's calendar for viewing by other users (p.812 Profiles:

where each user's profile is set up to provide access to various folders and calendars).

Office 97 is an analogous art as it also teaches about Outlook and its calendar event

scheduling system. Therefore it would have been obvious at the time of the invention to

combine the calendar system of Berenson with the user view feature of Office 97 to

provide a more comprehensive and marketable system.

As per claim 13, Berenson does not explicitly teach determining free time on

another's calendar. Office 97 teaches that it is known to have means for selectively

permitting a first user to compare a time interval with a scheduled event on a second

user's calendar for ascertaining whether the second user has available time or whether

an event is scheduled for that time interval (Office 97 p. 797 whereby Figure 35.14

indicates if the user is busy and at what time so that a meeting can be scheduled during

a free time slot.). Office 97 is an analogous art as it also teaches about Outlook and its

calendar event scheduling system. Therefore it would have been obvious at the time of

the invention to combine the calendar system of Berenson with the viewing of free/busy

time feature of Office 97 to provide a more comprehensive and marketable system.

As per claims 16-17, Berenson does not explicitly teach preventing others from viewing an event. Office 97 teaches that it is known to permit a first user to prevent other users from viewing one or more events of that first user's calendar (Outlook 97 p. 794 "Private", by marking it private no other user's can view the details of the event/appointment). Office 97 is an analogous art as it also teaches about Outlook and its calendar event scheduling system. Therefore it would have been obvious at the time of the invention to combine the calendar system of Berenson with the private feature of Office 97 to provide a more comprehensive and marketable system.

As per claim 18, Berenson teaches generating a reminder of an event which is sent to the user in advance of the event (paragraph 16: "These systems and devices allow users to receive email and schedule appointments and reminders for later recall, display, or printing. In the case of the Internet-based calendars, these reminders may be delivered by email. They also allow individuals to schedule group meetings with a set of specifically named individuals.")

As per claim 19 and 21, Berenson does not explicitly teach recurrence appointments. Office 97 teaches that it is known to control the reoccurrence of an event at a predetermined interval (Office 97 p. 788-789, whereby the recurring appointment has the options of setting the recurrence pattern and time as noted in Figure 35.6). Office 97 is an analogous art as it also teaches about Outlook and its calendar event scheduling system. Therefore it would have been obvious at the time of the invention to combine the calendar system of Berenson with the recurrence feature of Office 97 to provide a more comprehensive and marketable system.

As per claim 20, Berenson does not explicitly teach numbering the recurrence events. Office 97 teaches that it is known that the recurring event is counted to provide on the user's calendar the recurring event at the predetermined interval with the counter number associated with the event (Office 97 p.789 see Figure 35.6 where the recurrence range of ending after X number of occurrences would be equivalent to the claim limitation as it performs the same function in substantially the same manner with the same results. The system would need to internally keep track of the number of meetings so that it corresponds to the recurrence number specified.). Office 97 is an analogous art as it also teaches about Outlook and its calendar event scheduling system. Therefore it would have been obvious at the time of the invention to combine the calendar system of Berenson with the recurrence numbering feature of Office 97 to provide a more comprehensive and marketable system.

As per claim 22, Berenson does not explicitly teach determining addresses of recipients. Office 97 teaches that it is known to provide user testing means for enabling a user to determine whether email addresses of intended recipients of a message are users of the system based on one or more associated email addresses associated with the user (Office 97 p. 777 whereby the contact tab lists the contacts and their contact information, including e-mail address. Also, p.797 Figure 35.14 includes a means for inviting contacts to a meeting whereby the company's internal contacts are listed in a directory that is accessed through the "to" field of the invite. So long as this directory is updated, the addresses should be functional.). Office 97 is an analogous art as it also teaches about Outlook and its calendar event scheduling system. Therefore it would

have been obvious at the time of the invention to combine the calendar system of

Berenson with the addresses testing feature of Office 97 to provide a more

comprehensive and marketable system.

As per claim 23, Berenson teaches providing data storage means (database

(301)); providing input means for data (web based data entry (303)); providing viewing

means for data (web based UI (602)); inputting information about an event into data

storage (event database (304)); inputting user data (user database (308)); providing

processor means for processing data (web server (306)); associating event data with

user data (); comparing user data associated with event data with user information data

to identify a user (See Figure 3 where the user database (308) contains information

specific for the user and the event database (304) contains information for the events

and the two databases exchange information such that the event information for a

specific user is indicated); associating an event with an identified user to create a user

data file (paragraph 19: "A system for requesting, creating and updating event

messages which may include calendar entries from an event schedule accessible by a

computer network (such as the Internet) is described below. A user accesses the

schedule and requests an event message to be sent to him/her based on a set of

criteria determined by the user. The event message may be in several different forms,

including, without limitation, calendar entries, pages, faxes or wireless updates. The

event schedule system displays events to the user and may insert an event into the

user's calendar either automatically or at the user's request. The system may also

perform other scheduling functions" whereby the user can receive a reminder of the

event which provides a link between the user and the event.); storing a user data file

that contains information pertaining to the user (user database (308)); inputting personal

user data information into the data file (paragraph 25: "User information is stored in a

user database 308 that interacts with the web server 306. User profiles, calendar

requests, notification requests, and other information are stored in the user database

308."); providing a user identification string containing user identification data

(paragraph 26: "The system may then leave an amount of data such as a "cookie" on

the user's computer so that the user is easily identifiable by the system the next time the

user makes use of the system." Where the identifiable string is an electronic cookie);

storing in the user file of a user selected to receive event data, event data (user

database (308) and event database (304)); displaying on viewing means a calendar

graphic which includes the event data of the user data file (See Figure 2 which is a

listing of shows with respective dates and times.). Berenson does not explicitly teach

using a password. Office 97 teaches that it is known to establish a user identification

data subset containing a user password data (Office 97 p. 812 "profiles" where each

user has a password to gain access to their information); inputting with input means a

user data information and user password data (Office 97 See Figure 37.2 where the

user profile is selected and the user will be prompted for a password); accessing stored

user data (Office 97 p.812-813 where once the profile is accepted, the user has access

to all the information in the profile); comparing the input user data information and

password data with user information data and corresponding user password data stored

on the system to identify a user selected to receive event data (Office 97 p. 812-813

"profile" where the user selects the profile and enters the corresponding password to

gain access to the information associated with the profile.). Office 97 is an analogous art

as it also teaches about Outlook and its calendar event scheduling system. Therefore it

would have been obvious at the time of the invention to combine the calendar system of

Berenson with the addresses testing feature of Office 97 to provide a more

comprehensive, secure and marketable system.

As per claim 24, Berenson teaches storing event data in at least two files

(database (301) and event database (304)), the at least two files including a global

event data file (database (301)) and a user data file (event database (304)), wherein the

step of storing event data comprises associating event data stored in a global event

data file with event data stored in a user data file (See Figure 3 where the database

(301) information is linked with the event database (304) and the user database (308)).

As per claim 25, Berenson teaches maintaining a user's calendar of events by

selectively deleting events from the user's calendar (paragraph 36: "The command

piece may cause one or more reminders to be scheduled, updated, or deleted.").

As per claim 26, Berenson teaches creating a user identification data comprises

inputting with input means one or more user identification strings which correspond with

a single user to represent a single user into the data storage means (paragraph 26:

"The system may then leave an amount of data such as a "cookie" on the user's

computer so that the user is easily identifiable by the system the next time the user

makes use of the system." Where the identifiable string is an electronic cookie) and

associating one or more user identification strings which represent a single user with

event data (paragraph 19: "A system for requesting, creating and updating event

messages which may include calendar entries from an event schedule accessible by a

computer network (such as the Internet) is described below. A user accesses the

schedule and requests an event message to be sent to him/her based on a set of

criteria determined by the user. The event message may be in several different forms,

including, without limitation, calendar entries, pages, faxes or wireless updates. The

event schedule system displays events to the user and may insert an event into the

user's calendar either automatically or at the user's request. The system may also

perform other scheduling functions" whereby the user can receive a reminder of the

event which provides a link between the user and the event).

As per claim 27, Berenson teaches notifying a person of one or more scheduled

events on a calendar comprising associating with a person a calendar and notifying the

person when there is an event posted to the person's calendar (paragraph 16: "These

systems and devices allow users to receive email and schedule appointments and

reminders for later recall, display, or printing. In the case of the Internet-based

calendars, these reminders may be delivered by email. They also allow individuals to

schedule group meetings with a set of specifically named individuals." Whereby the

reminders notify the user of the event.). Berenson does not explicitly teach providing

access to view calendars. Office 97 teaches that it is known to provide means for

permitting the person to access and view the person's calendar (p.812 Profiles: where

each user's profile is set up to provide access to various folders and calendars.

Whereby the profile is set to allow viewing privileges.). Office 97 is an analogous art as

it also teaches about Outlook and its calendar event scheduling system. Therefore it would have been obvious at the time of the invention to combine the calendar system of Berenson with the viewing feature of Office 97 to provide a more comprehensive, secure and marketable system.

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following art also teaches about electronic calendar systems: Katiyar et al (US 5,732,399), Kogut-O'Connell et al (US 6,658,427), Kalmick et al (US 2003/0204430), Srimuang (US 2003/0061087), Wang et al (US 6,278,456), Kanevsky et al (US 6,820,096), Conmy et al (US 6,101,480), Matoba et al (US 6,392,669), "Share your personal calendar with another user" by Aardsma, Inside Microsoft Office 97, August 2001, vol 5, issue 8, p 4; "For a fresh outlook on organizing your day, try this program: Microsoft's Outlook Express offers a one-stop solution for e-mail, newsgroups, notes, to-do lists and contact management" by Clark, The Vancouver Sun, January 18, 2001; and "Group scheduling programs NSTL report", Computing Canada, March 15, 1993.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linda Krisciunas whose telephone number is 571-272-6931. The examiner can normally be reached on Monday through Friday, 6:30 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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published applications may be obtained from either Private PAIR or Public PAIR.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

LMK

February 15, 2006

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Art Unit 3623